

Application No. 10/536,971
AMENDMENT dated February 2, 2010
In Reply to Office Action of November 2, 2009

REMARKS

This response is submitted under 37 C.F.R. § 1.111 to the Office Action of November 2, 2009.

Claims 1 through 57 are pending in this application. Claims 1, 6, 8, 10, 21, 32, 33, 44, and 57 are amended. Claim 14 is canceled by this amendment. Claims 33 through 57 are allowed, and claims 2 through 4, 14 through 16, and 21 through 32 are allowable if rewritten.

Claims 1 through 32 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Specifically, claim 1 is rejected for two occurrences of improper antecedent basis.

The Applicants amended claim 1 to correct the antecedents for “rate” and “formation.” This rejection is moot.

Claims 1, 5 through 9, 13, and 17 through 20 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Number 4,031,913 to Apellaniz. Also, claims 10 through 12 are rejected under 35 U.S.C. § 103(a) as being obvious over the same citation.

The Applicants amended claim 1 to include the limitation of allowable claim 14. This rejection is believed to be moot.

The Applicants do not intend this amendment to be an agreement to the rejections or an acquiescence to the unpatentability of the rejected claims. The Applicants may pursue the scope of original claim 1 in a future continuation application and may traverse the rejections at that time.

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In view of the foregoing, it is submitted that this application is now in condition for allowance. Favorable consideration is requested.

Respectfully submitted,

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Date



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